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TO:

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703 872 9306

FROM: Sharon M. Sintich, Ph.D.

RE: 28335/36996US

PAGES (INCLUDING THIS PAGE): 53

Please see attached.

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PTO/SB/21 (09-04)

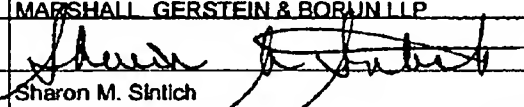
Approved for use through 07/31/2008. OMB 0851-0031

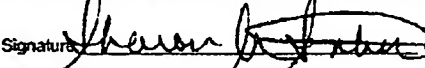
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/038,972-Conf. #9566
	Filing Date	January 4, 2002
	First Named Inventor	Jeffrey S. Bartlett
	Art Unit	1636
	Examiner Name	Marla Marvich
Total Number of Pages in This Submission	Attorney Docket Number	28335/36996US

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): PTO/SB/08 Request For Continued Examination (RCE)
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	MARSHALL GERSTEIN & BORUN LLP		
Signature			
Printed name	Sharon M. Sinitich		
Date	November 12, 2004	Reg. No.	48,484

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 872-8306, on the date shown below.	
Dated: November 12, 2004	Signature:  (Sharon M. Sinitich)

PTO/SB/17 (10-04v2)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2005

Effective 10/01/2004, Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)		395.00	
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Complete if Known	
Application Number	10/038,972-Conf. #9566
Filing Date	January 4, 2002
First Named Inventor	Jeffrey S. Bartlett
Examiner Name	Maria Marvich
Art Unit	1638
Attorney Docket No.	28335/36996US

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)	
<input type="checkbox"/> Check	<input type="checkbox"/> Credit Card	<input type="checkbox"/> Money Order	<input type="checkbox"/> Other
<input checked="" type="checkbox"/> Deposit Account:			
Deposit Account Number		13-2855	
Deposit Account Name		MARSHALL, GERSTEIN & BORUN LLP	
The Director is authorized to: (check all that apply)			
<input checked="" type="checkbox"/> Charge fee(s) indicated below		<input checked="" type="checkbox"/> Credit any overpayments	
<input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s)			
<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.			

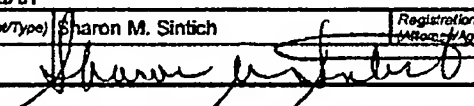
FEE CALCULATION					
1. BASIC FILING FEE					
Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	700	2001	350	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)				(\$)	0.00

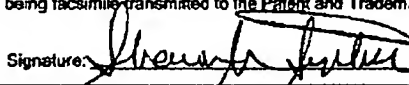
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE					
Total Claims		Extra Claims		Fee from below	Fee Paid
Independent Claims					
Multiple Dependent					
Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	88	2201	44	Independent claims in excess of 3	
1203	300	2203	150	Multiple dependent claim, if not paid	
1204	88	2204	44	Reissue independent claims over original patent	
1205	18	2205	9	Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)				(\$)	0.00

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES					
Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1806	1,840*	1806	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to Institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,370	2453	685	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1602	400	2502	200	Design issue fee	
1503	800	2503	395	Plant issue fee	
1480	130	1480	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1808	180	1808	180	Submission of Information Disclosure Sheet	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	395.00
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify):					
SUBTOTAL (3)				(\$)	395.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY		(Complete if applicable)	
Name (Print/Type)	Sharon M. Sintich	Registration No. (Attorney/Agent)	48,484
Signature		Telephone	(312) 474-6300
		Date	November 12, 2004

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Dated: November 12, 2004	Signature:  (Sharon M. Sintich)

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Dated: November 12, 2004

Signature: 
(Sharon M. Sindler)

**AMENDMENT AFTER FINAL
EXPEDITED PROCEDURE
GROUP ART UNIT 1646**
Docket No.: 28335/36996US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Jeffrey S. Bartlett

Confirmation No.: 9566

Application No.: 10/038,972

Art Unit: 1636

Filed: January 4, 2002

Examiner: M. Marvich

For: AAV2 VECTORS AND METHODS

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**REQUEST FOR RECONSIDERATION WITH AMENDMENT UNDER 37 C.F.R.
§1.116 AND SUBMISSION UNDER 37 C.F.R. §1.114**

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This amendment is in response to the Final Office Action mailed August 11, 2004. Claims 1-10, 17, 18, 21-23, 25 and 26 were rejected under 35 U.S.C. §112, first paragraph. Reconsideration and withdrawal of the rejections are respectfully requested in light of the following amendment and remarks. This response is timely filed with a Request for Continued Examination.

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims begin on page 3 of this paper.

Remarks/Arguments begin on page 8 of this paper.